IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 430 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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JALALUDDIN JABBAR - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR. K.T.DAVE, APP. for Respondent(s) : 1,
RULE NOT RECD BACK for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 24/03/2006

ORAL JUDGMENT

1 This application moved through jail authority by the convict seeks transfer from Sabarmati Central Jail Ahmedabad to Banaras Central Jail, Uttar Pradesh. As can be seen from the facts of the case even before this application dated 25/1/2006 the convict had moved an application dated 12.9.2003 addressed to Inspector General of Prisons. Mr.K.T.Dave, learned APP. appearing on behalf of the respondent authority has submitted that the jail authority has already indicated tentative decision which is pending before the State Government as the transfer is intra State transfer.

2 In the circumstances, respondent No.1 – State Government is directed to take the decision immediately but not later than 15.4.2006, considering the fact that the sentence of the

convict is almost on the verge of being served out.

3 The petition is accordingly allowed to the aforesaid extent. Rule made absolute protanto.

Sd/-
(D.A.MEHTA, J)

m.m.bhatt